

**SIGNIFICANT PROVISIONS OF STATE UNEMPLOYMENT INSURANCE LAWS  
EFFECTIVE JANUARY 2010**

	BENEFITS						COVERAGE	TAXES		
	Earnings/ Employment Needed in Base Period to Qualify <sup>1</sup>	Computation of Weekly Benefit Amount	Weekly Benefit Amount <sup>2</sup>		Weekly Earnings Disregarded <sup>3</sup>	Calculation of Number of Benefit Weeks <sup>4</sup>	Number of Benefit Weeks <sup>5</sup>	Size of Payroll (Length of Employment/ Wages Paid) <sup>6</sup>	2010 Wages Subject to Tax	2009 Minimum & Maximum Rates <sup>7</sup> New Employer Rate <sup>8</sup>
AL	1½ x HQW; qualify for at least minimum WBA	1/26 avg of 2 highest qtrs	\$45	\$265	\$15	Lesser of 1/3 BPW or 26 x WBA	15-26	20 weeks or \$1,500 in any qtr	\$8,000	0.44% 6.04% 2.70%
AK	\$2,500; wages in 2 qtrs	0.9-4.4% of annual wages + \$24 per dep up to \$72	\$56- 128	\$370- 442	\$50 and ¼ wages over \$50	Weighted schedule of BPW to HQW	16-26	Any size	\$34,100	1.00% 5.40% 1.96%
AZ	1½ x HQW; \$1,500 in 1 qtr or wages in 2 qtrs; wages in 1 qtr sufficient to qualify for maximum WBA, and BPW ≥ taxable wage base	1/25 HQW	\$60	\$240	\$30	Lesser of 1/3 BPW or 26 WBA	12-26	20 weeks or \$1,500 in any qtr	\$7,000	0.02% 5.40% 2.00%
AR	27 x WBA; wages in 2 qtrs	1/26 HQW	\$79	\$441	40% WBA	Lesser of 26 x WBA or 1/3 BPW	9-26	One employee for 10 or more days in a CY	\$12,000	0.90% 6.80% 3.70%
CA	\$1,300 in HQ, or \$900 in HQ with BPW = 1¼ x HQ	1/23 to 1/26 HQW	\$40	\$450	Greater of \$25 or 1/4 wages	Lesser of 26 x WBA or ½ BPW	14-26	Over \$100 in any qtr	\$7,000	1.50% 6.20% 3.40%
CO	40 x WBA or \$2,500, whichever is greater	Higher of 60% of 1/26 of 2 consecutive HQW, capped by 50% of avg weekly earnings or 50% of 1/52 BP earnings capped by 55% of avg weekly earnings	\$25	\$443- 487	¼ WBA	Lesser of 26 x WBA or 1/3 BPW	13-26	20 weeks or \$1,500 in any qtr	\$10,000	0.00% 5.40% 1.70%
CT	40 x WBR	1/26 avg of 2 highest qtrs + \$15 per dep, up to 5; DA capped at WBR (For construction workers, 1/26 HQ)	\$15-30	\$537- 612	1/3 wages	Uniform duration	26	20 weeks or \$1,500 in any qtr	\$15,000	1.90% 6.80% 3.00%
DE	36 x WBA	1/46 total wages in 2 highest qtrs	\$20	\$330	Greater of \$10 or 50% WBA	½ BPW	24-26	20 weeks or \$1,500 in any qtr	\$10,500	0.10% 8.00% 2.10 %
DC	1½ x HQW or within \$70; not less than \$1,950 in 2 qtrs; \$1,300 in 1 qtr	1/26 HQW	\$50	\$359	1/5 of wages plus \$20	Lesser of 26 x WBA or ½ BPW	19-26	Any size	\$9,000	1.30% 6.60% 2.70%
FL	1½ x HQW; minimum \$3,400; wages in 2 qtrs	1/26 HQW	\$32	\$275	8 x federal hourly mini- mum wage	25% BPW	9-26	20 weeks or \$1,500 in any qtr	\$8,500	0.12% 5.40% 2.70%
GA	wages in 2 qtrs & 150% x HQW or HQW divided by 21 for WBA w/ total earnings at least 40 x WBA	1/42 of wages in highest 2 qtrs or 1/21 HQW	\$44	\$330	\$50	Lesser of 26 x WBA or ¼ BPW	6-26	20 weeks or \$1,500 in any qtr	\$8,500	0.025% 5.40% 2.62%

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			Mini- mum	Maxi- mum						
HI	26 x WBA; wages in 2 qtrs (\$11,739 in HQ for maximum & \$14,534 in BP)	1/21 HQW	\$5	\$559	\$150	Uniform duration	26	Any size	\$38,800	0.00% 5.40% 1.90%
ID	1 1/4 x HQW; not less than the minimum qualifying wages in 1 qtr \$1,690	1/26 HQW	\$72	\$334	1/2 WBA	Weighted schedule of BPW to HQW	10-26	20 weeks or \$1,500 in any qtr	\$33,300	0.447% 5.40% 1.00%
IL	\$1,600; \$440 outside HQ	47% of claimant's AWW in 2 highest qtrs	\$51-77	\$385-531	1/2 WBA	Uniform duration	26	20 weeks or \$1,500 in any qtr	\$12,520	0.60% 6.80% 3.10%
IN	1.5 x HQW totaling at least \$2,500 in last 2 qtrs; not less than \$4,200 in BP	5% of 1 <sup>st</sup> \$2,000 of wage credits in HQ, 4% of remaining HQW credits; wage credits limited to \$9,250	\$50	\$390	Greater of \$3 or 20% WBA from other than BP employers	Lesser of 28% BPW or 26 x WBA	8-26	20 weeks or \$1,500 in any qtr	\$9,500	1.10% 5.60% 2.70%
IA	1 1/4 x HQW; 3.5% of the statewide AAW in HQ; 1/2 HQW in qtr not the HQ	1/19 - 1/23 HQW for claimants with deps	\$56-67	\$374-459	1/4 WBA	1/3 BPW	9-26	20 weeks or \$1,500 in any qtr	\$24,500	0.00% 8.00% 1.00%
KS	30 x WBA; wages in 2 qtrs	4.25% HQW	\$109	\$436	25% WBA	1/3 BPW	10-26	20 weeks or \$1,500 in any qtr	\$8,000	0.00% 7.40% 4.00%
KY	1 1/2 x HQW; 8 x WBA in last 2 qtrs; \$750 in HQ; \$750 outside HQ	1.3078% BPW	\$39	\$415	1/5 wages	1/3 BPW	15-26	20 weeks or \$1,500 in any qtr	\$8,000	1.00% 10.00% 2.70%
LA	\$1,200 total BPW; wages in 2 qtrs; 1 1/2 x HQW	1/25 of the avg of wages in 4 qtrs of BP x 1.05 x 1.15	\$10	\$247	Lesser of 1/2 WBA or \$50	Uniform duration	26	20 weeks or \$1,500 in any qtr	\$7,700	0.10% 6.20% 2.89%
ME	2 x AWW in 2 different BP qtrs; total BPW = 6 x AWW	1/22 avg wages paid in 2 highest qtrs of BP + \$10 per dep up to 1/2 WBA	\$62-93	\$356-534	\$25	1/3 BPW	22-26	20 weeks or \$1,500 in any qtr	\$12,000	0.44% 5.40% 1.57%
MD	1 1/2 x HQW; \$576.01 in HQ	1/24 HQW + \$8 per dep up to 5 deps	\$25-65	\$410	\$100	Uniform duration	26	Any size	\$8,500	0.60% 9.00% 2.20%
MA	30 x WBA; \$3,500 minimum	50% AWW + \$25 per dep up to 1/2 WBA	\$33-51	\$629-943	1/3 WBA	36% BPW	10-30	13 weeks or \$1,500 in any qtr	\$14,000	1.26% 12.27% 2.83%
MI	1 1/2 x HQW; at least \$2,871 in HQ; or wages in 2 or more BP qtrs totaling at least \$16,695 (20 x State AWW of \$828.73)	4.1% HQW + \$6 for each dep up to 5	\$117-147	\$362	WBA reduced by 50¢ for every \$1 earned. Earnings and benefits limited to 1 1/2 x WBA	43% BP wages	14-26	20 weeks or \$1,000 in CY	\$9,000	0.60% 10.30% 2.70%
MN	At least \$1,000 in HQ; \$250 outside HQ	Higher of 50% of 1/13 HQW up to 43% of State AWW or 50% of 1/52 BPW up to 66 2/3% of state AWW	\$38	\$377-585	WBA reduced by 55¢ for every \$1 earned	Lesser of 1/3 BPW or 26 x WBA	11-26	Any size	\$27,000	0.556% 10.70% 2.3116%
MS	40 x WBA; \$780 in HQ; wages in 2 qtrs	1/26 HQW	\$30	\$235	\$40	1/3 BPW	13-26	20 weeks or \$1,500 in any qtr	\$7,000	0.70% 5.40% 2.70%

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MO	1½ x HQW; \$1,500 in 1 qtr; or wages in 2 qtrs of BP = 1½ maximum taxable wage base	4.00% of the avg of the 2 HQWs	\$35	\$320	Greater of 20% WBA or \$20	Lesser of 26 x WBA or 1/3 BPW	8-26	20 weeks or \$1,500 in any qtr	\$13,000	0.00% 9.75% 3.51%
MT	BPW = 1½ x HQW & total wages ≥ 7% of AAW or BPW ≥ 50% of AAW	1% BPW or 1.9% wages in 2 HQs	\$125	\$422	½ wages in excess of ¼ WBA	Weighted schedule of BPW to HQW	8-28	\$1,000 in current or preceding year	\$26,000	0.00% 6.12% 2.70%
NE	\$2,761; \$800 in each of 2 qtrs; \$800 in HQ	½ AWW	\$30	\$318	¼ WBA	Lesser of 26 x WBA or 1/3 BPW	1-26	20 weeks or \$1,500 in any qtr	\$9,000	0.00% 5.40% 1.29%
NV	1½ x HQW; or wages in 3 of 4 qtrs of BP	1/25 HQW	\$16	\$400	¼ wages	Lesser of 26 x WBA or 1/3 BPW	12-26	\$225 in any qtr	\$27,000	0.25% 5.40% 2.95%
NH	\$2,800; \$1,400 in each of 2 qtrs	1%-1.1% annual wages	\$32	\$427	30% WBA	Uniform duration	26	20 weeks or \$1,500 in any qtr	\$8,000	0.10% 6.50% 2.70%
NJ	20 weeks employment at 20 x State hourly minimum wage or 1,000 x State hourly minimum wage	60% of claimant's AWW + DA	\$87- 100	\$600	Greater of 20% WBA or \$5	100% base weeks worked in base year up to 26	1-26	\$1,000 in any year	\$29,700	0.30% 5.40% 2.6825%
NM	\$1,451.67 in HQW and wages in at least 1 other qtr	60.0% of AWW paid in BP qtr in which wages were highest	\$71- 101	\$426- 503	1/5 WBA	Lesser of 26 x WBA or 60% BPW	16-26	20 weeks or \$450 in any qtr	\$20,800	0.03% 5.40% 2.00%
NY	1½ x HQW; \$1,600 in HQ	1/26 HQW unless HQW ≤ \$3,575 then, 1/25 HQW	\$64	\$405	None. All employment affects WBA	Uniform duration	26	\$300 in any qtr	\$8,500	0.70% 8.70% 4.10%
NC	6 x AWW; wages in 2 qtrs of BP	1/26 HQW	\$43	\$505	10% AWW in HQ	(BPW / HQW) x 8 2/3	13-26	20 weeks or \$1,500 in any qtr	\$19,300	0.00% 6.84% 1.20%
ND	1½ x HQW; wages in 2 qtrs	1/65 of wages in 2 HQs + ½ wages in 3 <sup>rd</sup> HQ	\$43	\$431	60% WBA	Weighted schedule of BPW to HQW	12-26	20 weeks or \$1,500 in any qtr	\$24,700	0.20% 9.86% 1.60%
OH	20 weeks employment with wages averaging 27.5% of State AWW; wages in 2 qtrs	½ claimant's AWW + DA of \$1-\$133 based on claimant's AWW and number of dep	\$106	\$375- 508	1/5 WBA	20 x WBA + 1 x WBA for each quali- fying week in excess of 20	20-26	20 weeks or \$1,500 in any qtr	\$9,000	0.30% 9.00% 2.70%
OK	\$1,500 and 1½ x HQW	1/23 HQW	\$16	\$430	\$100	Weighted schedule of BPW to HQW	18-26	20 weeks or \$1,500 in any qtr	\$14,900	0.10% 5.50% 1.20%
OR	6 x WBA since prior initial claim and total base year earnings ≥ 1½ x HQW; or 500 hours of employment in BP	1.25% BPW	\$115	\$493	1/3 WBA or 10 x \$8.40 (i.e., the State minimum wage)	1/25 BPW	3-26	18 weeks or \$1,000 in any qtr	\$32,100	0.90% 5.40% 2.40%

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PA	\$800 in HQ; \$1,320 in BP; at least 20% of BPW outside HQ; 16 credit weeks in BP	1/23-1/25 HQW + \$5 for 1 dep; \$3 for 2 <sup>nd</sup> dep	\$35-43	\$564- 572	Greater of \$6 or 40% WBA	At least 16 credit weeks for minimum, 18 for maximum	16 or 26	Any size	\$8,000	1.8370% 13.1576% 3.7030%
PR	40 x WBA; \$280 minimum; \$77 in 1 qtr; wages in 2 qtrs	1/11- 1/26 HQW	\$7	\$133	WBA	Uniform duration	26	Any size	\$7,000	1.40% 5.40% 2.90%
RI	1½ x HQW. 200 x minimum hourly wage in 1 qtr and 400 x minimum hourly wage in BP; or 1,200 x minimum hourly wage in BP	4.62% HQW + greater of \$10 or 5% of the benefit rate per dep up to 5 deps	\$68- 118	\$546- 682	1/5 WBA	36% BPW	8-26	Any size	\$19,000	1.69% 9.79% 2.36%
SC	1½ x HQW; \$900 minimum; \$540 in HQ	1/26 HQW	\$20	\$326	¼ WBA	1/3 BPW	13-26	20 weeks or \$1,500 in any qtr	\$7,000	1.14% 6.00% 3.40%
SD	\$728 in HQ; 20 x WBA outside HQ	1/26 HQW	\$28	\$309	¼ wages over \$25	1/3 BPW	15-26	20 weeks or \$1,500 in any qtr	\$10,000	0.00% 8.50% 1.20%
TN	40 x WBA; \$780.01 avg wages in highest 2 qtrs; BPW outside HQW ≥ the lesser of 6 x WBA or \$900	1/26 of avg 2 highest qtrs	\$30	\$275	Greater of \$50 or ¼ WBA	Lesser of 26 x WBA or ¼ BPW	13-26	20 weeks or \$1,500 in any qtr	\$9,000	0.50% 10.00% 2.70%
TX	37 x WBA; wages in at least 2 qtrs	1/25 HQW	\$59	\$406	Greater of \$5 or ¼ WBA	27% BPW	10-26	20 weeks or \$1,500 in any qtr	\$9,000	0.26% 6.26% 2.70%
UT	\$3,100 and (1) 1½ x HQW or (2) \$155 for 20 weeks	1/26 HQW	\$29	\$451	30% WBA	27% BPW	10-26	Any size	\$28,300	0.20% 9.20% 1.20%
VT	\$2,099 HQW + BPW ≥ 40% HQW	Wages in the 2 highest qtrs divided by 45	\$64	\$425	Greater of 30% WBA or \$40	Uniform duration	26	20 weeks or \$1,500 in any qtr	\$10,000	0.80% 6.50% 1.00%
VA	\$2,700 in highest 2 qtrs of BP	1/50 of the 2 highest qtrs	\$54	\$378	\$50	See table in law	12-26	20 weeks or \$1,500 in any qtr	\$8,000	0.18% 6.28% 2.50%
VI	1½ x HQW and \$858 in HQ; or \$858 in HQ and 39 x WBA in BP	1/26 HQW	\$33	\$462	25% in excess of \$15	1/3 BPW	13-26	Any size	\$22,200	0.00% 6.00% 1.00%
WA	680 hours; wages in BP or alternate BP	3.85% of avg of high 2 qtrs in BP	\$133	\$560	\$5 and ¼ wages over \$5	Lesser of 26 x WBA or 1/3 BPW	1-26	Any size	\$36,800	0.00% 5.40% InAvg%
WV	\$2,200 and wages in 2 qtrs	1% annual wages	\$24	\$424	\$60	Uniform duration	26	20 weeks or \$1,500 in any qtr	\$12,000	1.50% 7.50% 2.70%
WI	35 x WBA and 4 x WBA outside HQ	4% HQW up to maximum WBA	\$54	\$363	\$30 plus 33% of wages in excess of \$30	40% BPW	14-26	20 weeks or \$1,500 in any qtr	\$12,000	0.00% 8.50% 3.25%

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			Mini- mum	Maxi- mum						
WY	1.4 x HQW; at least 8% of statewide AAW	4% HQW	\$31	\$438	50% WBA	Lesser of 26 x WBA or 30% BPW	11-26	Any size	\$22,800	0.30% 9.10% 1.60%

This document is prepared for general reference and may not reflect all the details of a State's law. Consult the State agency or the State law for authoritative information. More detailed information may be found in the *Comparison of State Unemployment Insurance Laws*, which also includes information on Temporary Disability Insurance Programs, at <http://www.ows.doleta.gov/unemploy/statelaws.asp>. This document can also be found at this Web site.

#### KEY:

Avg - Average

BPW - Base Period Wages

DA - Dependents Allowance

MBA - Maximum Benefit Amount

"≥" - Greater Than or Equal To

Qtrs - Quarters

AAW - Average Annual Wage

CQ - Calendar Quarter

HQ - High Quarter

WBA - Weekly Benefit Amount

"≤" - Less Than or Equal To

"x" - Times

AWW - Average Weekly Wage

CY - Calendar Year

HQW - High Quarter Wages

"=" - Equal To

"%" - Percent

BP - Base Period

Dep - Dependent

InAvg - Industry Average

">" - Greater Than

"+" - Plus

#### OTHER PROVISIONS OF LAW:

**Waiting Week** – Most States require a 1-week waiting period where the claimant must meet all eligibility conditions before benefits are payable. The following States do not require a waiting week: CT, DE, GA, IA, KY, MD, MI, NV, VT, WI, and WY. The waiting week may be paid after a specified period of unemployment in AL, KS, MO, NJ, TN, and TX. In some States, it may be suspended under certain conditions.

**Base Periods** – Almost all qualifying earnings are determined using a BP consisting of the first 4 of the last 5 completed CQs. A few States use a different BP. In the following States, more recent earnings may be used in an alternative BP under certain conditions: AK (effective 01/01/10), AR, CA (effective ASAP but no later than 04/03/11) CO, CT, DE (effective 01/03/10), DC, GA, HI, ID (effective 10/01/09), IL, IA, KS (effective 01/01/10), ME, MA, MI, MN, MT, NV, NH, NJ, NM, NY, NC, OH, OK, OR, RI, SD, TN (no later than 06/25/10), VT, VA, WA, WV, and WI.

#### FOOTNOTES:

<sup>1</sup> Reflects basic qualifying formula. Some States have alternative qualifying formulas.

<sup>2</sup> When two amounts given, higher includes DA; the higher figure for both the minimum and maximum WBAs includes DA for the maximum number of depts. If state has a DA and only one amount is given, the maximum is the same with or without the allowance. The total amount of DA payable in any week is limited by a cap. CO and MN do not pay DA. The lower amount is based on HQWs, and the higher amount is based on total BPWs. For WA, the minimum WBA increased to \$155 for most claims for weeks from 05-03-2009, through at least 01-02-2010. For claims starting on 01-03-2010, the minimum WBA will be \$133. A \$45 weekly State stimulus payment is also added to most benefit amounts from 05-03-2009 through at least 01-02-2010, many through the end of the claim.

<sup>3</sup> This column lists the amount of weekly earnings that are disregarded (will not reduce the WBA). However, earnings in excess of those listed will be deducted from the WBA, resulting in a reduced payment.

<sup>4</sup> For States that use earnings, further calculation is needed to derive the number of benefit weeks—take the amount obtained from the formula listed (which is the claimant's MBA) and divide it by the claimant's WBA. States with uniform duration do not have to calculate the number of benefit weeks since it is fixed at 26 weeks. For WA, the number of benefit weeks does not increase by the \$45 State stimulus payment, but maximum benefits payable do increase.

<sup>5</sup> Lists number of benefit weeks for only the regular program for total unemployment. In States with uniform duration, all eligible claimants receive the same number of benefit weeks (in IL the maximum amount payable cannot exceed one's BPW, resulting in some claimants being paid less than 26 weeks). For WA the maximum number of benefit weeks decreases from 30 to the lesser of 26 or 1/3 BPW if the State unemployment rate falls to 6.8% or below. For WI, with some limited exceptions, individuals with significant ownership interest in family partnerships, LLCs and corporations, and certain of their family members, are limited to 4 weeks of regular UI benefits. In some States, additional weeks of benefits are payable under limited circumstances such as high unemployment, continuation of approved training, or workforce dislocations.

<sup>6</sup> Coverage is determined by the size of the employing unit's payroll or the number of days or weeks worked during a CY and applies to employing units who during any CQ in the current or immediately preceding CY paid wages of \$1,500 or more, or to employing units who employ one or more workers on at least 1 day in each of 20 weeks during the current or immediately preceding CY; such employing units are liable for taxes, and the workers accrue benefit rights. For those States with "Any size," all workers are covered regardless of payroll size or weeks worked. States may have different thresholds for agricultural, domestic, and nonprofit employing units.

<sup>7</sup> Rates apply only to experience rated employers for rate year 2009 and do not include applicable non UI: taxes; surtaxes; penalties; or surcharges. In most States, rate year 2009 begins on January 1, 2009, and ends on December 31, 2009. In NH, NJ, TN, and VT rate year 2009 begins on July 1, 2009, and ends on June 30, 2010. For ME there is an additional 0.05% Competitive Skills Fund on all employer rates.

<sup>8</sup> New employer rate shown is basic rate. Higher rates may apply depending on industry classification and/or other factors: in AK (InAvg), AR (employers can elect to receive rate based on rate schedule), CO, DE (construction employers pay an average industry rate), DC, IA (8.0% construction employers), IL, KS (6.0% construction employers), KY (foreign & domestic construction firms receive maximum rate), MA (new construction employers pay InAvg), ME (predetermined yield), MD (foreign contractors assigned avg industry rate), MI (construction employers receive industry rate), MN (high experience rating industries are assigned a rate of 8.0% plus base rate, assessments and fees), MT, MO (greater of 3.51% or InAvg), NE, NJ, NY (highest rate assigned to employers with positive account balances or 4.1%, whichever is less), ND, OH (new construction employers pay InAvg), PA (new construction employers pay 10.262%), SD (6.0% construction employers), TN, TX, UT, VT, WA (115% of InAvg), WV (construction & foreign entities pay 7.5%), WI (larger employers pay 3.4%, & new construction employers pay 6.6%), and WY (InAvg, but not less than 1.0%). NJ and LA rates depend on rate schedule in effect. For RI an additional 0.21% Job Development Fund on new employers.

If you have any questions, please contact **Loryn Lancaster** at 202-693-2994 or **Daniel Hays** at 202-693-3011.